

PHOTOGRAPHS
FOR SALE—ALL KINDS AND SIZES!
—AT THE—
COSMOPOLITAN GALLERY!
64 and 66 Fort Street.
THE BEST QUALITY, GREATEST VARIETY,
Lowest Prices.
ALSO—Portraits taken in better style and quality than at any other place in the city, for the LOW PRICE OF
\$3.50 PER DOZEN!
*Do not fail to see our recommendation, but come and see for yourself.
(779-17) H. J. CHAN.

SCHOOL NOTICE.
Haleakala Boys' Boarding School!
THE SUMMER TERM OF THIS SCHOOL will open on the 15th DAY OF JULY NEXT. The school accommodations have been greatly enlarged, and now has a capacity for sixty pupils.
The school is located in the District of Mahaloa, in one of the finest climates of the Islands. As heretofore, the school will be conducted on a

AN INDUSTRIAL INSTITUTION
The Pupils sharing in the Cash Profits of their labors. The Industrial department will be organized during the summer, and three hours in the afternoon will be devoted to industrial schooling. Parents or guardians desiring of placing their children or wards at this institution, are respectfully requested to apply to the Principal, Mr. F. L. CHAMBERLAIN, on the premises, or at the Education Office, Honolulu. Pupils sending pupils are requested to provide them with necessary working and school suits of clothes, with one Sunday suit, shoes, pillow cases, bed-covers or blankets, towels, and a veranda arm or chair, in which clothes may be kept.
TERMS:
Single pupils, if paid for quarterly, \$40.00 per quarter; if paid for the year, \$150.00.
Two or more pupils, sent in pairs, \$75.00 per quarter, each.
July 14—Guardianship of Louise Friel, a Minor—Before Justice Judd. S. B. Dole presented his final account as guardian of said minor. The Court examined the account and approved the same subject to the filing of the report of Mr. Louise Friel (father) for the balance appearing to be due to her by the guardian's account.
July 16—Proof of will of John Lee, deceased—Before Justice Harris. Petition of Kaima K. for proof of will of John Lee, deceased. The Court admitted the will to probate without bonds.

M'ONIE STEAMCLARIFIERS
Two Only
Remain from Last Shipments,
NOW OFFERED TO CLOSE CONSIGNMENT.
The attention of Dealers is called to these clarifiers, which are the best that will be imported for sale in this market. For terms apply to
T. H. DAVIS, Agent for Manufacturers.
489-2m

A. W. PEIRCE & CO.
Offer for Sale
SHIP CHANDLERY
New
WHALE BOATS AND BOAT STOCK!
GROCERIES,
Flour & Bread!
Lime and Cement,
California Hay,
—AND—
By Steamer from San Francisco,
Potatoes, Onions, &c.

Agents for
Brand's Bomb Lances,
Perry Davis' Painkiller,
Pulver Salt Works
487-3m
LUMBER, LUMBER, LUMBER!

ALL SORTS, SIZES & DESCRIPTIONS
—AND—
BUILDING MATERIALS!
—AT—
The Yard and on the Wharf!
—COMPRISING—
Nor'West Scantling, Timber!

PLANK, BOARDS,
Battens,
Flooring,
Laths,
Pickets, &c.
REDWOOD SCANTLING, TIMBER,
Plank, Boards,
Battens, Flooring,
Moulding, Pickets,
Laths, Posts,
Wainscoting,
&c., &c., &c.
White Cedar and Redwood Shingles!

White Pine Boards,
Doors, R. P. 1mo., 2mo., & Sash
SASH AND BLINDS,
NAILS AND GLASS,
Wall Paper and Border
In Large Variety.

PAINTS, OILS, TURPENTINE, VARNISH,
Paint and Whitewash Brushes,
Locks, Hinges,
Butt Screws,
Sash Weights & Line.

AI PUULOA SALT, ETC., ETC
GOODS DELIVERED IN TOWN FREE OF CHARGE.
—AND—
At any Port in this Kingdom as per Contract.

WILDER & CO.,
Corner Fort and Queen Streets
U. S. Postal Cards,
S. A. L. PRICES 3 CENTS EACH, BY
R. M. WHITNEY.

The Courts.
Mr. Justice HARRIS presiding.
July 14—Pachin vs. Chock Alana—Appeal from Police Court Honolulu. Claim for \$25 rent. Jury waived. The Court after hearing the arguments of counsel, reversed the judgment of the Court below. W. C. Jones for plaintiff; A. S. Hartwell for defendant.
July 15—F. Silva vs. Paka—The Court gave its decision in this case dismissing the appeal. L. McCully for plaintiff; appellant; E. Preston for defendant.
July 20—Rex vs. Louis Boutry—Nolle prosequi entered.
Rex vs. Takegelo and others—Appeal from the Police Justice of Lohaina. Tried by a foreign jury. The jury returned at 4 p. m. a verdict of guilty of assault and battery with a dangerous weapon, against Takegelo and Joka, under section 8 of the Penal Code, and a verdict of guilty of assault and battery under section 9 of Penal Code against Kama, Yash, Kuna, Iago, Shook, Masa, Kato, Konekake, Jaka, and King. Messrs. G. Williams and R. W. Laine dissent from the last verdict except in regard to Kuna and Kato.

McGulgan et al vs. T. Moore, Master of S. S. "Mikado."—Tried by foreign jury, conveying debtor out of the country. The jury retired at 3:35 minutes past 4 p. m. and at 5 minutes past 8 the Court sent for them and finding that they were not likely to agree (standing 7 to 5) they were dismissed.
In Probate.
July 13—Estate of K. W. Holt, deceased—Before Mr. Justice Harris. Petition of A. J. Carter, Administrator with will annexed of the estate of K. W. Holt, deceased, for settlement of his account, which was referred to the Master, and upon coming in on the Master's report the account was allowed and passed.
July 14—Guardianship of Louise Friel, a Minor—Before Justice Judd. S. B. Dole presented his final account as guardian of said minor. The Court examined the account and approved the same subject to the filing of the report of Mr. Louise Friel (father) for the balance appearing to be due to her by the guardian's account.
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ANCIENT TRUTH.—According to the latest news from Athens the arrangement now come to between the Turkish Government and Dr. Schliemann seems to be, says the London Times, that the latter is to employ 100 to 150 laborers for three or four months at Hissarlik, and that whatever is found by them is to be the property of the Turkish Government. In the meantime the Turkish Government has not been inactive. The large slabs on the road which were discovered at Hissarlik at a depth of thirty feet have been removed, and below that pavement a much more ancient pavement of large chalk-stone slabs has now been brought to light. While the stratum which Dr. Schliemann and other Euboeanists assign to Priam and his family extends only from thirty-three to thirty-two feet below the surface, these new excavations reach from thirty to thirty-three feet. Those who believe that there must be some kind of historical foundation for all mythological and epic poetry, will have to assign this new stratum to Laomedon, Priam's father, whose lion was destroyed by Hercules "with only six ships and fewer men."

THE ORIGINAL "STAR-SPANGLED BANNER."—Baltimore to San Francisco in grateful acknowledgment—The provisions of the deed of gift of James Lick to the State of California reach us by telegraph this morning. The property is valued at over a million and a half of dollars, and among the purposes to which it is dedicated we find that \$150,000 are to be used in erecting a bronze monument in Golden Gate Park to the author of the "Star-spangled Banner." It is a most liberal and unexpected bequest. Francis Scott Key has passed through the "golden gate," which leads to the higher life thirty years, when his memory and the most notable act of a quiet and honorable life is thus commemorated, and that the act should be performed by a citizen of a State so distant about the imperishable and far-reaching character of those hurried and burning words of anxiety and patriotic zeal written in our harbor here, just a few steps from our household threshold, by an obscure prisoner who had little thought of the immortality he grasped. The *Star Spangled Banner* of which he wrote still is in existence—not where it should be, here on the spot, but in possession of a Northern society. It is worn in some places, but still in good preservation. It cannot be obtained for our own archives it would be a grateful act to present it to Mr. Lick to be placed in his monument, and we hope this will be done.—*Baltimore Gazette.*

MUST BE SOLD IN THREE MONTHS,
A FINE LOT OF
BOYS' & MEN'S CLOTHING
Boots, Shoes and Slippers.
THIS FINE LOT OF GOODS MUST
be closed out immediately, and
WILL BE SOLD AT SAN FRANCISCO PRICES.
S. MAGNIN,
488-2m, N. near King St., Honolulu.

FRAZER RIVER SALMON,
Just Received from Victoria,
—EX—
Bark Delaware.
FOR SALE IN LOTS TO SUIT.
By CASTLE & COOKE.

Oregon XXX Flour,
Oregon Sugar Cured Hams,
Oregon Sugar Cured Shoulders,
C. R. SALMON BELLIES,
In Kits and Half Barrels.
Cases of Oregon Hard Bread,
Cases of Oregon Canned Beef.

Received Ex-Jane A. Falkenburg,
And for Sale in Lots to suit.
484-2m Inquire of CASTLE & COOKE.

PURE LIME JUICE
Warranted to keep on the Longest Voyage
In 2, 3, and 5 gallon Demijohns,
Prepared by George Morris
KALHI, OAKU, HAWAIIAN ISLANDS.

For Sale by C. Brower & Co.
483-17

CHAIN CABLES.
SIZES FROM 5-8 TO 13-8 INCH. SMALL
SIZES IN QUANTITIES TO SUIT. For sale by
BOLLES & CO.

Notice.
ALL PERSONS ARE HEREBY NOTIFIED
to come to court, or otherwise transmit upon the basis of
the following and previous, Hawaii, under penalty of
law.
(179-2m) A. FONG & ACHUCK.

HAWAIIAN GAZETTE
Supreme Court of the Hawaiian Islands.
Isaac Hart Kapuni vs. Keku (w).
Justice Harris delivered the decision of the Court.
April Term, 1874. Case removed to the Supreme Court, July waived, from the Circuit Court Fourth Judicial Circuit, by consent.
This is an action of ejectment to recover a small piece of land situated at Koloa, Island of Kauai. The land originally belonged to one Kapuni, who had an award for it.
The plaintiff was the adopted son of the said Kapuni, who by his will left certain property to his wife, E. Kewalo, and made the plaintiff his residuary legatee.
This will was executed, 2nd of October, 1857, and was proven 22d of September, 1858, and the plaintiff says that the property is his by virtue of that will.
The defendant is the widow of one Pahiwa, who was a cousin of the aforesaid Kapuni, or, as the Hawaiians call him, a brother. It is in evidence that they lived together in a brotherly manner, and it is alleged that Kapuni gave to Pahiwa the land in question and executed for it a deed in consideration of love and affection, in the presence of two witnesses, who are since dead, and the deed has been lost and no record made of it.
Regarding the validity of such a defense, if the last deed can be proved, there can be no question as to the whole question before the Court is whether the deed is so proven. The law is undoubted that it will be necessary that there should be presented clear proof of the execution of the deed, and proof of its contents sufficient to enable the Court to determine the character of the instrument. This principle is so clear as not to need the citation of any authority.
The frequency with which the Hawaiian occupies the land of a near relative or friend, and builds his house upon it without having any other right in the land than a mere permissive occupancy, takes away from such occupancy the significance that it might have in other communities, and at the same time imposes upon the Court the duty of extraordinary caution, lest temptation should be held out to supply testimony many years after the death of the owner to establish a title in the land when the right of occupancy was only a permissive one. The loss of papers in this case is most remarkable. They lost their deed, and they lost both their leases, and appear to have mislaid their land commission award; and this misfortune seems to have been attached to plaintiff and defendant, for the plaintiff has lost his [et]ion of the file. So likewise the possession of papers, among intimate relations in this country, would furnish very little evidence to support the presumption that they were accompanied by a deed which was afterwards lost. Again, the defendant says that the fact that Kapuni did not mention in his will the land in question raises a presumption in her favor. This can hardly be so, because he only mentions the details of the property which he bequeathed to his wife and left the remainder to this plaintiff without particularizing any property whatsoever. So that the case must be decided upon the weight and efficacy of the positive testimony given to support the existence of the deed and its contents. The land commission award upon which the title of this land rests, is not placed before the Court, but we have taken pains to supply that deficiency by a copy. It will be found by reference to it that the award is for two divisions of land, and the first witness, Kahanaui, says that the deed was for the land which was to be conveyed to him in its entirety, or so much of it as Kapuni owned (testimony page second). The second witness, Kahanui, states it was a deed of the land of Wailana; this again would carry the whole of Wailana; this again would carry the whole of Wailana; or both the spaces. Now the testimony of James Judd is in fact that he had occasion to issue a piece of land toward the road, and to the road as he could get it; he went to Pahiwa for it, and Pahiwa said it belonged to Isaac Hart. This is sought to be explained by the counsel at bar by showing that the land on which the house stands is not near the road, and he supposes therefore that it was another piece of land. But the only judgment that the Court could give would be, if judgment should be for defendant, that a deed had been lost, and that it belonged to Isaac Hart. Therefore, if Pahiwa did not own that piece of Wailana by the force of the deed now set up, he did not own any, or, in other words, if the judgment should be that he owned the piece of land on which the house now stands, it would likewise be by the testimony that he owned all the rest. The witness Kahanui says that the deed called for the kuleana of Wailana, and did not mention the number of acres, but adds that the deed did not comprise the whole; the question arises then how much did it comprise? Again, if it was another piece of land, but the only judgment that the Court could give would be, if judgment should be for defendant, that a deed had been lost, and that it belonged to Isaac Hart. Therefore, if Pahiwa did not own that piece of Wailana by the force of the deed now set up, he did not own any, or, in other words, if the judgment should be that he owned the piece of land on which the house now stands, it would likewise be by the testimony that he owned all the rest. 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